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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,196	08/23/2001	Yutaka Takahashi	100725-00051	8768

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EXAMINER

THAI, CANG G

ART UNIT PAPER NUMBER

3629

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/935,196	<b>Applicant(s)</b> TAKAHASHI ET AL.	
	<b>Examiner</b> Cang G. Thai	<b>Art Unit</b> 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This is in response to an amendment filed on 12/02/2005 for letter for patent filed on 08/23/2001. Claims 1-9 are pending in the letter.

### ***Status of Claims***

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,141,653 (CONKLIN ET AL).

The United States Patent and Trademark Office (USPTO) interprets this patent application as a marketing support system connected to an open network. A supplier (customer) would input technical information as a request through a support system connected to an open network that is connected to various sale agencies, the server would provide information pertaining to request from sale agencies, a supplier would then to select a sale agency with a purchase, and sale agency would process the transaction or purchase order for the supplier (customer). A marketing support system can be selling many things other then selling mechanical component product. It is not

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important how the mechanical component is purchase, but it is important whether the (supplier) customer would purchase any component product at the end as requested through a marketing support system connected to an open network.

As for claim 1, CONKLIN discloses a marketing support system for allowing a supplier, which manufactures and sells to at least one sales, to support the at least one sales agency selling said component to a purchaser, wherein

a communication device of the supplier is connected to an open network and comprises:

technical information service means for providing technical information required to select said component {Column 12, Lines 59-62, wherein this reads over "The production purchasing buyer needs to be able to collect information about sellers, and it would help to know that some entity has screened them and monitors them for adherence to some known set of standards and reputability"}; and

sales agency introduction means for introducing the at least one sales agency selling said component {Column 19, Lines 17-23, wherein this reads over "Remote authoring 50, is a seller process which enables a registered seller in the community to create a seller Website within the community on which to include the seller's marketing and product information, along with pricing, terms, service offerings and so on"}, and

a communication device of the at least one sales agency is connected to the open network and comprises:

wherein the purchaser accesses to the communication device of the supplier over the open network to select and purchase the component from one of the at least

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one sales agency {Column 18, Lines 41-46, wherein this reads over “the network used is the present-day Internet with TCP-IP protocols and formats, but those skilled in the art will appreciate that it could also be implemented on any future open network(s) which might replace or supplement the Internet, or it could be implemented inside current, private networks within a corporation”}.

As for claim 2, CONKLIN discloses the marketing support system for a component according to claim 1, wherein the purchaser selects a responsible sales agency from the at least one sales agency to process the purchase order {Column 19, Lines 62-66, wherein this reads over “buyer is interested in opening negotiations with a particular seller, the propose orders processes can be based on catalog prices or desired price and other terms, special orders for samples or small quantities, proposed payment vehicles, and can include information about the buyer”}.

As for claim 3, CONKLIN discloses the marketing support system for a component according to claim 1, wherein the supplier selects a responsible sales agency from the at least one sales agency to process the purchase order {Column 7, Lines 37-41, wherein this reads over “a purchase order represents a buyer company's obligation to pay according to the master agreement, and the seller has to accept the risk that the buyer will actually pay the purchase order per the originally negotiated payment terms”}.

As for claim 4, CONKLIN discloses the marketing support system for a component according to claim 3, wherein the communication device of the supplier is provided with means for receiving an inquiry for the mechanical component from the

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purchaser, contents of the inquiry are distributed over the open network and thereafter consigned to an appropriate sales agency to be the responsible sales agency from the at least one sales agency determined in accordance with a region and a product number, and the appropriate sales agency processes the purchase order {Column 20, Lines 24-32, wherein this reads over "A buyer might either propose negotiations of order terms based on a seller's catalog and price lists or send out a request for proposal (RFP) to all or some of the seller's in the community, or send out a request for a quote (RFQ) to all or some of the sellers in a community, asking sellers to respond with the best, most comprehensive terms each seller can offer"}.

As for claim 5, CONKLIN discloses the marketing support system for a component according to claim 1, wherein said technical information service means is provided with question reply means for receiving a technical question from the purchaser and allowing a responsible engineer of the supplier to send a reply to the question back to the purchaser {Column 21, Lines 61-64, wherein this reads over "multivariate negotiations engine system 02's site contains all the software, hardware and database functions to create and support complete operations of communities"}.

As for claim 6, CONKLIN discloses the marketing support system for a component according to claim 1, wherein said sales agency introduction means displays a sales agency information list which provides information of the at least one sales agency including name, the component, an address of each sales agency, and contact information {Column 21, Lines 61-64, wherein this reads over "multivariate

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negotiations engine system 02's site contains all the software, hardware and database functions to create and support complete operations of communities"}.

As for claim 7, CONKLIN discloses the marketing support system for a mechanical component according to claim 1, wherein the component is delivered after payment has been made {Column 6, Lines 16-20, wherein this reads over "Credit cards are essentially ways to pay cash in advance for goods and services, and thus, would not be suitable for production purchasing either, where delivery, payment, and inspection schedules are usually negotiated to occur over time"}.

As for claim 8, CONKLIN discloses the marketing support system for a component according to claim 1, wherein an ID issued for the inquiry from the purchaser when credit can be provided for the purchaser in accordance with background checks on the purchaser and the order from the purchaser is accepted in accordance with the ID {Column 33, Lines 13-17, wherein this reads over "If certificates of authenticity, customer identification numbers, or electronic signatures such as those conventionally used for non-repudiation purposes are collected, they can also be stored in a sponsor database 225"}.

As for claim 9, CONKLIN discloses the marketing support system for a component according to claim 1, wherein the inquiry from the purchaser is registered to customer database and an order potential database {Column 14, Lines 21-25, wherein this reads over "The system maintains internal databases that contain the history of all transactions in each community, so that sponsors, buyers and sellers may retrieve appropriate records to document each stage of interaction and negotiation"}.

***Conclusion***

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

No claims are allowed.

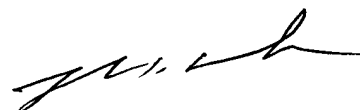


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
03/01/2006



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